

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Georgia (Mr. COVERDELL) is absent due to illness.

The result was announced—yeas 20, nays 79, as follows:

[Rollcall Vote No. 213 Leg.]

YEAS—20

Akaka	Inouye	Moynihan
Boxer	Kennedy	Reed
Daschle	Kerry	Robb
Dodd	Lautenberg	Rockefeller
Feingold	Leahy	Voinovich
Harkin	Levin	Wellstone
Hollings	Lincoln	

NAYS—79

Abraham	Edwards	McCain
Allard	Enzi	McConnell
Ashcroft	Feinstein	Mikulski
Baucus	Fitzgerald	Murkowski
Bayh	Frist	Murray
Bennett	Gorton	Nickles
Biden	Graham	Reid
Bingaman	Gramm	Roberts
Bond	Grams	Roth
Breaux	Grassley	Santorum
Brownback	Gregg	Sarbanes
Bryan	Hagel	Schumer
Bunning	Hatch	Sessions
Burns	Helms	Shelby
Byrd	Hutchinson	Smith (NH)
Campbell	Hutchison	Smith (OR)
Chafee, L.	Inhofe	Snowe
Cleland	Jeffords	Specter
Cochran	Johnson	Stevens
Collins	Kerrey	Thomas
Conrad	Kohl	Thompson
Craig	Kyl	Thurmond
Crapo	Landrieu	Torricelli
DeWine	Lieberman	Warner
Domenici	Lott	Wyden
Dorgan	Lugar	
Durbin	Mack	

NOT VOTING—1

Coverdell

The amendment (No. 3875) was rejected.

Mr. MOYNIHAN. Mr. President, I move to reconsider the vote.

Mr. LOTT. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LOTT. Mr. President, I ask consent the vote occur in relation to the Lott amendment notwithstanding the order for the recess of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT. Mr. President, I ask consent that immediately following the reconvening at 2:15, there be 5 minutes for the managers or their designees for closing remarks, to be followed immediately by a vote on passage of H.R. 4810.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 3881

Mr. LOTT. Mr. President, I do have brief remarks before the vote on the next amendment. Are we ready to proceed to that?

The PRESIDING OFFICER. There are 2 minutes for debate, equally divided. The majority leader.

Mr. LOTT. Mr. President, the amendment we have before us will return to the text of the committee-reported bill. If this amendment is agreed to, we will then be voting on a clean marriage penalty relief bill with the exact text that was reported from the Finance

Committee. It is a simple vote. It is a simple choice. Last night the Senate did accept some amendments on several issues that are not relevant to marriage penalty relief, several of them on voice vote, perhaps a couple of them along the way on recorded votes.

Some of them are good amendments. We will have another opportunity to vote for them or have them included in other legislation. They are good ideas that deserve to be on another bill. This bill is about tax relief for married couples and about eliminating the marriage penalty when a couple gets married, so I urge my colleagues to support cleaning up the bill so we can pass a clean marriage penalty bill.

The PRESIDING OFFICER. Who yields time? The Senator from Illinois.

Mr. DURBIN. Mr. President, let me explain to the body what the Lott amendment does. If you voted in favor of the Durbin-Bond amendment to give full deductibility of insurance premiums to self-employed small businesses and farmers, the Lott amendment eliminates that vote. If you voted with Senator TORRICELLI of New Jersey for lead screening under Medicaid to protect children, the Lott amendment eliminates that. If you voted with Senator TORRICELLI on special provisions in Medicare for those suffering from Lou Gehrig's disease, the Lott amendment eliminates that. If you voted with Senator BURNS to change business accounting to make it more fair to small businesses, the Lott amendment eliminates it.

This is done over and over in the House of Representatives by the Rules Committee. It clears the deck of all the activity and progress we have made. It is an effort to make a tabula rasa the last amendment of the day. If you believe the amendments we voted for are worth standing behind, I urge you to vote "no" on the Lott amendment.

Mr. CRAIG. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to amendment No. 3881. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Georgia (Mr. COVERDELL) is absent due to illness.

The result was announced—yeas 54, nays 45, as follows:

[Rollcall Vote No. 214 Leg.]

YEAS—54

Abraham	DeWine	Hutchinson
Allard	Domenici	Inhofe
Ashcroft	Enzi	Jeffords
Bennett	Fitzgerald	Kyl
Bond	Frist	Lott
Brownback	Gorton	Lugar
Bunning	Gramm	Mack
Burns	Grams	McCain
Campbell	Grassley	McConnell
Chafee, L.	Gregg	Murkowski
Cochran	Hagel	Nickles
Collins	Hatch	Roberts
Craig	Helms	Roth
Crapo	Hutchinson	Santorum

Sessions
Shelby
Smith (NH)
Smith (OR)

Snowe
Specter
Stevens
Thomas

Thompson
Thurmond
Voinovich
Warner

NAYS—45

Akaka
Baucus
Bayh
Biden
Bingaman
Boxer
Breaux
Bryan
Byrd
Cleland
Conrad
Daschle
Dodd
Dorgan
Durbin

Edwards
Feingold
Feinstein
Graham
Harkin
Hollings
Inouye
Johnson
Kennedy
Kerrey
Kerry
Kohl
Landrieu
Lautenberg
Leahy

Levin
Lieberman
Lincoln
Mikulski
Moynihan
Murray
Reed
Reid
Robb
Rockefeller
Sarbanes
Schumer
Torricelli
Wellstone
Wyden

NOT VOTING—1

Coverdell

The amendment No. (3881) was agreed to.

Mr. MOYNIHAN. Mr. President, I move to reconsider the vote.

The PRESIDING OFFICER. In my capacity as a Senator from the State of Wyoming, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate will stand in recess until the hour of 2:15 p.m.

Thereupon, the Senate, at 12:55 p.m., recessed until 2:15 p.m., whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. INHOFE).

MARRIAGE TAX PENALTY RELIEF RECONCILIATION ACT OF 2000—Continued

The PRESIDING OFFICER. The Senator from Delaware is recognized.

Mr. ROTH. Mr. President, we are poised to approve the Marriage Tax Relief Reconciliation Act of 2000. This is a great victory for the American family—all America's families. It is not one that has been won, as much as it has been earned.

This bill is the centerpiece of our efforts to reduce the tax overpayment by American families. It is fair, it is responsible, it is the right thing to do for American families. And it is long overdue that they receive it.

The provisions in this bill will help over 45 million families. That is virtually every family in the U.S. Some of my colleagues have argued that almost half of those families—21 million families located in every state in this country—do not deserve any tax relief. I reject that argument. I reject it because in my home state of Delaware it would mean leaving over 30,000 families that contributed to our ever-growing budget surplus out of family tax relief.

All of these American families have contributed to the record surplus that we have in Washington. They deserve to get some of it back. I believed that